

MEMORANDUM

Add-On
GOE
Agenda Item No. 7 (E)

TO: Honorable Natacha Seijas, Chairperson
and Members, Governmental Operations
and Environment Committee

DATE: December 9, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Incorporation/Annexation
Impact Statements Report
from County Departments that
Report to the Governmental
Operations and Environment
Committee



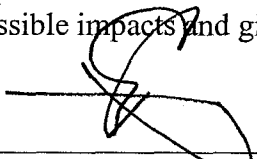
This item is being added on to the agenda in response to a Committee directive and is therefore time sensitive.

RECOMMENDATION

It is recommended that the Governmental Operations and Environment (GOE) Committee accept the attached Incorporation/Annexation Impact Statements Report from the County departments that report to the GOE Committee.

BACKGROUND

At the October 14, 2003 GOE Committee Meeting, you requested an Incorporation/Annexation Impact Statement Report from each department that reports to the GOE Committee. Each department has submitted the requested concise, one page memorandum that provides details on possible impacts and gives thoughts to future impacts, addresses staffing levels, etc.


Assistant County Manager



MEMORANDUM

TO: Natacha Seijas, Chairperson,
Governmental Operations and
Environment Committee

DATE: November 13, 2003

FROM: Pedro G. Hernandez, P.E.
Assistant County Manager

SUBJECT: Incorporation/Annexation
Impact Statements for
County Departments that
Report to the Governmental
Operations and Environment
Committee

During the October 14, 2003 Governmental Operations and Environment Committee (GOE), you requested an Incorporation/Annexation Impact Statement from each Department that reports to the GOE. Attached are the twelve (12) subject Impact Statements from the following Departments:

- 1) Building Department
- 2) Chief Information Officer/Chief Technology Officer & eGov
- 3) Capital improvement Construction Coordination
- 4) Communications
- 5) Department of Environmental Resources Management
- 6) Elections
- 7) General Services Administration
- 8) Office of Water management
- 9) Planning and Zoning
- 10) Public Works
- 11) Solid Waste
- 12) Water and Sewer

Each Department has submitted the requested concise, one page memorandum that provides details on possible impacts and gives thought to future impacts, addresses staffing levels, planning, etc.

Should you need further information on this matter, please feel free to contact Tom Marko, Assistant to the County Manager, or myself at (305) 375-1253.

Cc: George M. Burgess, County Manager
Alex Munoz, Assistant County Manager


Attachments



MEMORANDUM

TO: Pedro G. Hernandez, P.E.
Assistant County Manager

DATE: November 10, 2003

FROM: Juan Mendieta 
Director
Communications Department

SUBJECT: **Incorporation/Annexation
Impact Statement**

Thus far, the previous incorporations and annexations throughout Miami-Dade County have had no impact on the Communications Department. The only future impact that could possibly occur would be indirect resulting from service delivery scale-backs, thereby reducing the amount of information delivered by the Department to the public.

If you have any questions, please contact me at 305-375-3958.

Cc: Judi Zito, Chief Information Officer, Office of the County Manager



MEMORANDUM

TO: Pedro G. Hernandez, P.E.
Assistant County Manager

DATE: November 12, 2003

A handwritten signature in black ink, appearing to read "Roger T. Hernstadt", is written over the "FROM:" line.

FROM: Roger T. Hernstadt
Capital Improvements Coordinator

SUBJECT: Capital Improvements Construction
Coordination Incorporation Impact

The direct impact of incorporation activities on Capital Improvements Construction Coordination (CICC) operations occurs primarily in two areas: Quality Neighborhood Improvements Program (QNIP) and Federal Emergency Management Agency (FEMA) projects through Division of Recovery and Mitigation (DORM).

In the case of the QNIP, projects have been done throughout the unincorporated area. Bonds issued on behalf of the entire unincorporated area, whether or not specific projects, have occurred in the geographical boundaries of the proposed municipality, with pledged revenues from those residents to payoff the bond. In other words, the debt must be paid off for those residents who lived in the unincorporated area at the time of issue. That amount is included in the pro forma budget. In addition to the bond issue, many projects are partially funded with pay-as-you-go allocations. Absent the pay-as-you-go funding, impacted projects will have a funding gap.

Capital Improvements Construction Coordination (CICC) has obtained mitigation funds from FEMA to conduct several activities in Miami-Dade County. These activities include, surveying canal depth and determining the need for dredging of canals, secondary canal dredging, road restoration, drainage replacement, major neighborhood drainage, and drainage system cleaning. Municipalities match FEMA expenditure with 12 ½ % local dollars with the projects that are to occur in their municipality. The amount that will need to be budgeted will vary depending on the municipality and the FEMA projects in the geographical area.

From an administrative perspective, with each incorporation, a complete update of multiple computer systems takes approximately a week to accomplish due to the changes in boundaries.



MEMORANDUM

TO: Pedro G. Hernandez, P.E.
Assistant County Manager

DATE: November 12, 2003

FROM: Judi Zito
Chief Information Officer

SUBJECT: Incorporation/Annexation

Incorporations and annexations that have occurred to date in Miami-Dade County have had no impact on the Enterprise Technology Services Department (ETSD). Developing partnerships and strengthening relationships with municipalities is a key component of ETSD's outreach to the community and an important step in providing seamless service to the public. Potential future impacts could result from service delivery scale-backs, reducing the amount of web-enabled information and technology services provided by the Department to the public.

A larger concern deals with the provision of online services in a fashion that is seamless to the public. For example, the public is now able to perform a wide variety of services related to the building process online. When a community undergoes an incorporation process such that building services are not provided by the County, the resident of the incorporated community is not able to make use of this online capability. From the citizen's perspective, this would be viewed as a reduction in service resulting from incorporation.



MEMORANDUM

TO: Pete Hernandez, Assistant County Manager
County Manager's Office

DATE: November 13, 2003

FROM: Charles Danger, P.E., Director
Building Department

SUBJECT: 10/14/03 GOE
Committee Chair Seijas' Request

To date, incorporation and annexations have had a minimal impact on the Miami-Dade County Building Department's overall revenues or staffing levels. If, however, plans that are currently under way for future incorporation/annexation come to fruition i.e. Redlands, East Kendall or West Kendall, it could have a major impact on the Miami-Dade County Building Department.

As the Miami-Dade County Building Department plans for the impact of future incorporations, our department has taken into account a couple of extremely important factors which influence the overall planning process. First, incorporation has a delayed impact on activity within the Building Department. Municipalities, as they incorporate, do not form their own building departments immediately, requiring the Miami-Dade County Building Department to continue to provide all permitting services at the same level as prior to incorporation. Additionally, after a transition date is established for the newly formed building department to assume the permitting and enforcement functions, the Miami-Dade County Building Department continues to perform inspections related to building permits issued prior to the transition date, resulting in a gradual reduction of the services provided. These factors will allow the Miami-Dade County Building Department to plan a smooth and orderly downsizing of the department, which reflects the newly adjusted service area, while continuing to maintain our current service levels to these areas.

If you have any questions or in the future need any additional information please contact R. Terry Smith at (786) 315-2337.

CD:RTS:lm

cc: Juliana Salas, P.E., Deputy Director, Building Department



MEMORANDUM

107.07-17A MIAMI-DADE/CSA/MAT. MGT.

TO: Pedro G. Hernandez, P. E.
Assistant County Manager

DATE: November 3, 2003

FROM: William M. Brant, P. E.
Director
Miami-Dade Water and Sewer Department

SUBJECT: Incorporation/Annexation Impact
Statement

This is in response to Commissioner Seijas' request for an impact statement related to incorporations and annexations. At this time, the recent increase in municipalities has not had a significant impact to the Miami-Dade Water and Sewer Department's operations or its staffing. Utility service areas, regardless of municipal boundaries, have been established in accordance with County Ordinance No. 89-15. Basically, unless property is already assigned to another utility, the Department has the first right to serve such property. If utility services are not available from the Department, the Ordinance establishes the process to release the service area to the nearest willing utility.

The Department provides water and sewer service to residents of both incorporated and unincorporated areas within Miami-Dade County. This is done both directly, serving approximately 400,000 retail customers, and indirectly, by serving volume (wholesale) water and sewer service to 15 and 12 municipalities, respectively. For those cities, the Department sells water and receives sewage through large meters at one or more connecting points. The municipalities serve an area, which generally, but not always, corresponds to the municipal boundaries, and owns, operates and maintains the water distribution and sewage collection system within that area. Most cities do not have their own utility systems. For example, residents of the Village of Pinecrest that have water and/or sewer service receive such service from the Department, not the Village. The City of Coral Gables provides sewer service for areas within the City, and water service is received from the Department.

The Department currently provides assistance to several municipalities, as summarized below:

- Provide emergency repair services for municipal utility systems (example: Bal Harbour water main break repairs)
- Provide billing services for stormwater utilities (example: Miami Lakes, Key Biscayne, South Miami)
- Provide service for routine services, typically now done only on a case-by-case basis (North Bay Village leak detection study)
- Provide chemical analyses through the Department's Laboratory Division

The continued provision and possible expansion of these types of services is contingent upon the Department's need to maintain appropriate service levels to its own customers. The Department will continue to look for ways to improve and expand the range and type of services that it can provide to the incorporated areas, balanced with the need to maintain, and improve upon, the service levels to existing customers.

Should you have any questions or need further information, please contact me at 786 552-8086 or Bonnie Wells, the Department's contact person for these issues, at 786 552-8107.

cc: Bonnie Wells



MEMORANDUM

107.07-17A MAM-DADEGSA-MAT-MGT.

TO: Pedro G. Hernandez, P.E.
Assistant County Manager

DATE: November 5, 2003

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

SUBJECT: Incorporation/Annexation
Impact Statement

In response to Commissioner Seijas' request, the Department of Solid Waste Management (DSWM) is providing an Incorporation/Annexation Impact Statement to detail the impacts that Annexation and Incorporation processes (as currently configured) have on the DSWM in the form of the attached.

Cc: Victoria Garland
Paul Mauriello
Charles Parkinson

Incorporation and Annexation Impact Statement
Prepared for the Governmental Operations and Environment Committee
Miami-Dade County Department of Solid Waste Management
Fiscal Management & Planning Division
October 2003

The Department of Solid Waste Management's position relative to incorporation and annexation is defined in Ordinance No. 96-30 as enacted by the Board of County Commissioners in February 1996. This ordinance provides for continued County authority over waste collection and disposal in the unincorporated area as it was geographically configured on the ordinance effective date. To quote the County Manager's Memorandum (for agenda Item No. 7(F)), dated January 16, 1996:

Outstanding solid waste debt repayment has been predicated on both disposal and collection revenues from the current unincorporated area and both revenue streams have been pledged in the solid waste bond indenture and loan agreements....Maintaining the County's authority over both collection and disposal of the current waste stream from the unincorporated area will insure compliance with these bond indenture and loan agreements and will provide the Department with greater flexibility to respond to the changing solid waste environment.

This policy has contributed significantly to the solid waste system's ability to continue to meet the demands placed upon it. Specifically, the DSWM has maintained a high level of collection service to residents at reasonable cost levels, maintained disposal services to cities and private haulers at rates less than those in neighboring counties, provided recycling and environmental protection programs (including landfill closures and groundwater protection projects) as well as litter pick-up, illegal dumping pick-up, code enforcement and other beneficial services.

The Department strives to maintain a high level of service to its residential customers, to treat all County residents fairly and equitably and to maximize direct service benefits to the entire community. The Department's ability to do so and to meet its commitments to system bondholders is predicated on the continued adherence to this annexation and incorporation policy as articulated in Ordinance No. 96-30.



MEMORANDUM

TO: Pedro G. Hernandez, P.E.
Assistant County Manager

FROM: Aristides Rivera, P.E., P.L.S.
Director
Public Works Department

DATE: November 13, 2003

SUBJECT: Incorporation/Annexation
Impact Statement

Pursuant to GOE Chair Commissioner Seijas' request, the Public Works Department (PWD) submits the following information on the subject matter.

To this date, incorporations and annexations have had a minimal impact on the PWD's activities or staffing levels. New municipalities have elected to utilize interlocal agreements with the County to continue PWD service delivery at the same level that existed prior to incorporation.

Additionally, existing Special Taxing Districts (STD) in new municipalities continue to be maintained by the PWD unless otherwise requested by the affected municipality. If the municipalities or its residents request the creation of new STDs, the municipality must first pass an authorizing resolution. In the last decade of incorporations, only three municipalities (Aventura, Miami Lakes and Sunny Isles) have chosen to dissolve their districts and provide these services with municipal millages. Therefore, staff feels that the incorporation and annexation impact on the STD office will be minimal.

Other PWD local municipal type services include platting and road maintenance. The PWD will continue to approve tentative and final plats for new municipalities, in compliance with FS 177. However, the affected municipality must pass a resolution approving the final plat before the PWD will review, approve, and record it in the Clerk's Office. This process has had very little effect on the PWD platting activities.

Road maintenance is provided by PWD on both arterial and unincorporated local roads. As municipalities become incorporated and after a transition date is established, the PWD will formally transfer ownership as well as maintenance responsibilities of selected local roads and in some instances, portions of arterials or collector roads, to the newly-created municipality. This transfer is consummated by the Board of County Commissioners adopting an enacting resolution. If all future incorporations/annexations come to pass (i.e., Miami Gardens – in transition, East and West Kendall, PLANT, Redlands, etc.), road maintenance staffing levels will need to be adjusted.

If you need further information, please feel free to contact Ms. Ines Beecher at 305-375-5867.

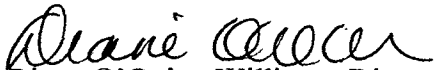
cc: Ines Beecher, Assistant Director for Administration, PWD



MEMORANDUM

To: Pedro G. Hernandez, P.E.
Assistant County Manager

Date: November 4, 2003

From: 
Diane O'Quinn Williams, Director
Department of Planning and Zoning

Subject: Incorporation/Annexation
Impact Statement

This is in response to the recent request by Governmental Operations and Environment Committee (GOE) Chair Natacha Seijas that Department Directors provide an Incorporation/Annexation Impact Statement.

To this regard, the incorporation movement has added to the Planning Research Division workload in two ways:

- 1) They are required to produce data profiles for the various MACs as they consider incorporating. This data is provided to the OMB UMSA unit and sometimes several variations are done.
- 2) After an area incorporates, an adjustment to many of the data files is required since municipality data and unincorporated data are broken out separately.

These two things add about 5% to our workload. In dollar terms this is about \$40,000.

In addition, the incorporation movement has impacted the Zoning Division workload in several ways:

- 3) Each municipality adopts its own zoning code and is free to amend its code from time to time. Interim zoning services are being provided by the Miami-Dade County Zoning Division to four municipalities: Town of Miami Lakes, Village of Palmetto Bay, City of Miami Gardens, and the City of Doral. Consequently, the Zoning Division currently administers four municipal zoning codes in addition to the zoning code for the unincorporated areas of Miami-Dade County.
- 4) The Zoning Division must adjust protocol according to the demands of each municipality for which the Zoning Division provides interim zoning services.

For the long term, incorporation has serious implications for departments or units, which primarily serve only the unincorporated area. Actually, the Research Section's work mostly involves the entire County. If the whole County became incorporated the Department's planning function would be significantly scaled back, I believe most of the research functions would survive but might be relocated.

Unless the Zoning Division, which is proprietary in nature, is successful in contracting out zoning services to new municipalities, revenues are projected to drop considerably. A significant drop in revenues will surely impact staffing levels and services.

DOQW/BM/ml


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MEMORANDUM

TO: Pete Hernandez
Assistant County Manager

DATE: November 10, 2003

SUBJECT: Incorporation /
Annexation
Impact Statement

FROM: Roman Gastesi 
Water Resources Manager
Office of Water Management

During the October 14, 2003 Governmental Operations and Environment Committee (GOE), Commissioner Seijas requested each Departmental Director that reports to the GOE to provide an Incorporation/Annexation Impact Statement – below are my thoughts for the Office of Water Management (OWM).

I do not believe that Incorporation/Annexation will impact the OWM very much. We are a very small office (two positions) and we do not intent on hiring anyone soon. Our main purpose - to provide centralized coordination and policy support to the County Manager for water-related issues such as the Everglades restoration initiative, flooding, and water supply and conservation – is a Countywide purpose that blankets the entire County regardless of the number of Municipalities present.

Also, our role as the County's liaison with the South Florida Water Management District (SFWMD), the United States Army Corps of Engineers, the National Park Service, the Florida Department of Environmental Protection, and other state and federal agencies is also a Countywide function that will not be affected by Incorporation/Annexation.

We work closely with the Municipalities in coordinating/implementing Everglades Restoration and Flood Mitigation Projects that overlap jurisdictional boundaries. As more municipalities are formed, additional coordination will be needed. We will continue to follow the business model of utilizing staff from various County Departments.

Incorporation and Annexation Impact General Services Administration

Per Commissioner Natacha Seija's request at the October 14, 2003 Governmental Operations and Environment Committee meeting, the following information is provided on the impact that incorporation and annexation could have on General Services Administration's operations.

Fleet Management Services: The impact will largely depend on the level of County services retained by the newly incorporated areas and/or whether these new municipalities, including recent incorporations and older cities such as Sunny Isles, Aventura, and Pinecrest, rely on Miami-Dade County to provide fire protection, police services, and/or solid waste pickup services. Fleet Management is indirectly providing a large portion of maintenance services to these cities already. Therefore in the case of future incorporated cities where functions such as police and solid waste continue to be provided by Miami-Dade County, along with the corresponding automotive equipment, Fleet services would continue operation at the current level with no changes.

Facilities and Utilities Management Services: As long as countywide services continue, it is anticipated that the County will need capital facilities to house and provide those services. The number of buildings could be reduced through conveyance to new municipalities, should that become the county's policy. However, providing that the County maintains core services, there will continue to be a need for Building Management and maintenance services. It is anticipated that these functions will continue, although at reduced levels of service.

Risk Management Services: Risk Management services will need to continue, although presumably at reduced levels. County employees will continue to have a need for health care services, remaining County real estate assets will need to be protected, and relevant levels of staff will need to be maintained to provide those services.

Should you have any questions regarding this matter, please contact Aimee Cabrera at (305) 375-1156.

B

DERM Incorporation/Annexation Impact Statement

Since natural resources are not constricted by geographic boundaries, they are managed by a countywide agency, the Department of Environmental Resources Management (DERM) under Chapter 24 of the Code of Miami-Dade County. Chapter 24 applies countywide in view of the fact that protected areas or protected resources such as wellfields, wetlands, natural forest communities, and surface and groundwater, go beyond municipal boundaries and the protection of these resources needs to have a regional approach; sources of contamination such as air emissions or potential sources of ground or surface water contamination may affect large areas in more than one municipality; actions taken by one municipality may adversely affect another one (or more than one); and actions taken by municipalities have the potential to affect regional services such as water and sewer. Certain programs are managed by DERM and delegated from other governmental agencies, including the Federal government, State Department of Environmental Protection (DEP), and the South Florida Water Management District.

Municipalities have jurisdiction over a number of activities that are also under the jurisdiction of Chapter 24. DERM's jurisdiction includes, but is not limited to, the review and approval or disapproval of land development orders, which includes the following: zoning actions, platting actions (land subdivision), building permits, building occupancies (residential and nonresidential) and municipal occupational licenses. The Code requires the approval by the Director of DERM or his designee on any of the above noted actions prior to any approval by any municipal official in Miami-Dade County. The DERM review includes but is not limited to the following: protection of public potable water supply wellfields, potable water supply, liquid waste disposal, stormwater management and disposal, tree resources preservation and protection, wetland preservation and protection, coastal resources preservation and protection and air quality requirements.

The direct impact of incorporation/annexation activities on DERM operations occurs primarily in three areas: Stormwater Utility, FEMA Projects through DORM (Division of Recovery and Mitigation) and Plan Review. In the case of the Stormwater Utility, projects have been done throughout the unincorporated area. Bonds are issued on behalf of the entire unincorporated area whether or not specific projects have occurred in the geographical boundaries of the proposed municipality, with pledged revenues from those residents to pay off the bond. In other words, those residents who lived in the unincorporated area at the time of issue must pay off the debt. In addition to the bond issue there is a loss of revenue to the Stormwater Utility with the geographic reduction of UMSA. For example, the fiscal impact of Doral and Miami Gardens incorporations and pending incorporations of Cutler Ridge and the Falls if the municipalities are exempted from the County's utility is estimated at \$8.3 million in FY 04/05.

A new municipality is required to create a funding source for stormwater management activities; if a city has secondary canals, enter into agreement with County for maintenance; join the National Flood Insurance Program; acquire NPDES permit from the State for stormwater discharges into surface waters and develop a stormwater management master plan that maintains a level of service for future development.

DERM has received mitigation funds from the Federal Emergency Management Agency to conduct several activities in Miami-Dade County. These activities include, surveying canal depth and determining the need for dredging, secondary canal dredging, road restoration, drainage replacement, major neighborhood drainage, and drainage system cleaning. Municipalities match FEMA expenditures with 12-1/2 % local dollars with the projects that are to occur in their municipality. The amount that will need to be budgeted will vary depending on the municipality and the FEMA projects in that geographical area.

Theoretically, with Plan Review, the review of non-residential building permits plans and certificates of use and occupancy should be seamless. New municipalities need to be aware and responsible for the County Code requirements that mandate prior review and approval of these plans and COs by DERM before issuance of the permits by the building official. Historically, compliance with these code requirements by municipalities has been deficient.

In addition, municipalities are not required by State law to coordinate master plan changes in compliance with land use restrictions in Chapter 24. This may result in the creation of land uses that conflict with resource protection requirements of the County Code and limiting the ability of DERM to manage the resources.

From an administrative perspective, with each incorporation, a complete update of multiple computer systems must be implemented due to the changes in folio numbers.

Should you need further information on this matter, please contact Alyce Robertson at 305.372.6795.

14

Impact of Incorporation/Annexation on Elections Department

Unlike most County departments, the Miami-Dade Elections Department becomes more active with each additional incorporation or annexation. A successful incorporation involves two special elections, one approving the formation of the new municipality and another approving the proposed charter, and the Elections Department absorbs the cost of both of those elections. Even an unsuccessful incorporation would involve the first election, and the Department would have to absorb that cost. Figures vary considerably based on the size of the new municipality, but the total cost of those two elections for the last two municipalities to incorporate – Doral and Miami Gardens – was \$500,000. Proposed *annexations* require one special election; the direct cost is typically reimbursed by the municipality that would annex the new area under the proposal.

Additionally, immediately following the formation of a newly incorporated municipality, that municipality holds its first municipal election, and then the Department must provide municipal election services to that new municipality in perpetuity. Municipalities generally reimburse the Department for the direct cost of municipal elections, but the department absorbs many indirect costs (as evidenced by the fact that the gap between municipal reimbursements and the department's total budget is larger than the cost of countywide elections, the cost of which the Department always incurs). Precisely because of the incremental fiscal impact of additional municipal elections, an Ordinance is being submitted (for consideration by the Committee) that would require new municipalities – as a condition of incorporation – to adhere to a common Municipal Election Day, enabling the department to more efficiently spread costs among as many municipalities as possible, reducing their direct costs and the Department's indirect costs.

If you have any questions or require more information, please do not hesitate to contact Constance A. Kaplan, Supervisor of Elections, at (305) 375-3150.